

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Michael R. Krause et al.  
Serial No.: 09/578,155  
Filed: May 23, 2000  
Docket No.: 10991833-1  
Title: RELIABLE DATAGRAM

---

**REMARKS**

The following remarks are made in response to the Final Office Action mailed April 7, 2005. The Examiner stated that the claims 1-45 were rejected as stated in the prior Office Action (i.e., the Office Action mailed July 1, 2004). In the Office Action mailed July 1, 2004, claims 1-45 were listed as rejected in the Office Action Summary, but in the Detailed Action the Examiner only rejected claims 1-36 and 38-45. With this Response, claims 1, 18, and 26 have been amended. Claims 1-45 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102 and under 35 U.S.C. § 103**

The Examiner has rejected claims 1, 3, 4, 6-9, 13, 16, 18-19, 22, 25-26, 28, 29, 31-34, 38, 41, 44, and 45 under 35 U.S.C. § 102(e) as being anticipated by the Wilson et al. U.S. Patent No. 6,738,821.

The Examiner has rejected claims 2, 5, 10-12, 14-15, 17, 20-21, 23-24, 27, 30, 35-36, 39-40, and 42-43 under 35 U.S.C. § 103(a) as being rendered obvious by the Wilson et al. U.S. Patent No. 6,738,821.

Amended independent claims 1, and 18 include limitations related to the source SDR resources including at least one queue configured to hold transmitted but not acknowledged units of work and not yet transmitted units of work. In addition, amended independent claim 26 includes limitations related to holding, at the source device, not yet transmitted units of work, and holding, at the source device, transmitted but not acknowledged units of work. These added limitations to amended independent claims 1, 18, and 26 are not taught or suggested by the Wilson et al. Patent.

In addition, independent claims 1 and 18 include source SDR resources, at a source device, multiplexing units of work produced by at least one source application instance (AI) and destination SDR resources, at a destination device, demultiplexing the serial unit of work stream into units of work provided to at least one destination AI. Independent claim 26 includes multiplexing units of work produced by at least one source AI at the source device and demultiplexing the serial unit of work stream into units of work provided to at least one destination AI at the destination device. As recited in independent claims 1, 18, and 26, these

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Michael R. Krause et al.

Serial No.: 09/578,155

Filed: May 23, 2000

Docket No.: 10991833-1

Title: RELIABLE DATAGRAM

---

limitations are also not taught or suggested by the Wilson et al. Patent. This multiplexing units of work produced by at least one application instant at the source device and demultiplexing the serial unit of stream into units of work provided to at least one destination AI at the destination device allows the reliable datagram service according to the present invention to be one-to-one, one-to-many, or many-to-one, because the multiplexing permits multiple AIs to be coupled to the source SDR resources and the demultiplexing permits multiple destination AIs to be coupled to the destination SDR resources in a reliable datagram service between the source device and the destination device.

In addition, as previously amended, independent claims 1, 18, and 26 all include limitations related to implementing a reliable datagram service between the source device and the destination device. The Wilson et al. Patent does not teach or suggest implementing a reliable datagram service between a source device and a destination device.

The Wilson et al. Patent teaches a simple transport protocol (STP) for a storage encapsulation protocol (SEP). The Wilson et al. Patent specifically states at column 17, lines 45-49 that “STP provides datagram and data stream services for SEP. Datagram service is limited to applying the appropriate header and sending pre-formatted data on the Ethernet. It does not packetize data or provide any guarantee of packet delivery.”

The Wilson et al. Patent actually teaches away from having the STP provide a reliable datagram service, because as described in the Wilson et al. Patent, the STP provides a low overhead, local area network (LAN) oriented transport to efficiently move blocks of data to and from target devices. As stated at column 18, beginning at line 48, the STP “finds most benefit in local area networks in which high bandwidth storage transfers are required.” For the storage environment, one embodiment of the Wilson et al. Patent utilizes the SCSI protocol. The parallel SCSI message system is very powerful, but very inefficient when used on a serial interconnect. Thus, the STP described in the Wilson et al. Patent specifically limits its datagram service to applying appropriate header and sending pre-formatted data on the Ethernet and does not packetize data or provide any guarantee of packet delivery with the STP datagram service.

In view of the above, independent claims 1, 18, and 26 are not taught or suggested by the Wilson et al. Patent.

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Michael R. Krause et al.

Serial No.: 09/578,155

Filed: May 23, 2000

Docket No.: 10991833-1

Title: RELIABLE DATAGRAM

---

Dependent claims 2-17 are allowable as depending from allowable base claim 1 and are allowable on further independent grounds in view of the novel and non-obvious features and combinations set forth therein. Dependent claims 19-25 are allowable as depending from allowable base claim 18 and are allowable on further independent grounds in view of the novel and non-obvious features and combinations set forth therein. Dependent claims 27-36 and 38-45 are allowable as depending from allowable base claim 26 and are allowable on further independent grounds in view of the novel and non-obvious features and combinations set forth therein.

Therefore, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102 and § 103 rejections to claims 1-36 and 38-45 and request allowance of these claims.

**Claim 37**

Applicants respectfully point out that the Examiner did not list a rejection for claim 37. In addition, dependent claim 37 is allowable as depending from allowable base claim 26 and is allowable on further independent grounds in view of the novel and non-obvious features and combinations set forth therein. Therefore, Applicants respectfully request formal allowance of claim 37.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-45 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-45 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Michael R. Krause et al.

Serial No.: 09/578,155

Filed: May 23, 2000

Docket No.: 10991833-1

Title: RELIABLE DATAGRAM

---

The Examiner is invited to contact the Applicants' representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005 or William P. O'Meara, Esq. at Telephone No. (970) 898-7917, Facsimile No. (970) 898-7247. In addition, all correspondence should continue to be directed to the following address:

**Hewlett-Packard Company**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Michael R. Krause et al.,

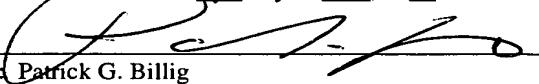
By their attorneys,

DICKE, BILLIG & CZAJA, PLLC  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 573-2003  
Facsimile: (612) 573-2005

Date: June 7, 2005  
PGB:cmj

  
Patrick G. Billig  
Reg. No. 38,080

**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 7 day of June, 2005.

By   
Name: Patrick G. Billig